

**In the United States District Court
For the Western District of North Carolina
Asheville Division**

William Sluder,
Plaintiff,

vs.

Commissioner of Social Security,
Defendant.

Civil Action No. **1:21-cv-00047-FDW-DSC**

ORDER

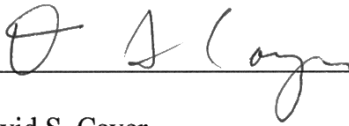
THIS MATTER IS BEFORE THE COURT on Plaintiff's Consent Motion for Fees Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A) filed on March 16, 2022. Having reviewed the Motion, supporting materials, Memorandum in Support, and the case file the Court determines that Plaintiff should be awarded attorney's fees under the EAJA, 28 U.S.C. § 2412(d), in the amount of \$4,441.11.

IT IS ORDERED that Plaintiff's Motion for Fees Under the EAJA, 28 U.S.C. § 2412(d)(1)(A) is **GRANTED**, to the extent that the Court will award attorney's fees in the amount of \$4,441.11, and that pursuant to Comm'r of Soc. Sec. v. Ratliff, 560 U.S. --, 130 S. Ct. 2521 (2010), the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine whether Plaintiff owes a debt to the United States. If so, the debt will be

satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to his counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe a federal debt, the Government will exercise its discretion and honor an assignment of EAJA fees and pay the awarded fees directly to Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

SO ORDERED.

Signed: March 16, 2022



David S. Cayer
United States Magistrate Judge

